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Informational Sheet:
Youth Employment Standards Act 90 of 1978, as amended

POSTING REQUIREMENT

MCL 409.110 Minor under 16 years; days and hours of employment.

Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.

Sec. 11. (1). Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met: If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.

- (a) The minor is employed for not more than 11 hours in 1 day.
- (b) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
- (c) The minor is not employed between 2 a.m. and 5:30 a.m.
- (d) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section:

- (a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables.
- (b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

History: Am. 1978, Act 90, Eff. June 1, 1978 ;-- Am. 1995, Act 251, Eff. Mar. 28, 1996 ;-- Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997 ;-- Am. 2000, Act 418, Imd. Eff. Jan. 8, 2001 ;-- Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011

MCL 409.112 Meal and rest period.

Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

MCL 409.112a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.

Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

IMPORTANT: Administrative Rule, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091 (10/18/2011)

YOUTH EMPLOYMENT STANDARDS ACT

Act 90 of 1978

AN ACT to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts.

History: 1978, Act 90, Eff. June 1, 1978.

The People of the State of Michigan enact:

409.101 Short title.

Sec. 1. This act shall be known and may be cited as the “youth employment standards act”.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.102 Definitions.

Sec. 2. As used in this act:

(a) “Employ” means engage, permit, or allow to work.

(b) “Employer” means a person, firm, or corporation that employs a minor, and includes the state or a political subdivision of the state, an agency or instrumentality of the state, and an agent of an employer.

(c) “Issuing officer” means the chief administrator of a school district, intermediate school district, public school academy, or nonpublic school, or a person authorized by that chief administrator in writing to act on his or her behalf.

(d) “Minor” means a person under 18 years of age.

(e) “Rule” means a rule promulgated pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1996, Act 438, Imd. Eff. Dec. 18, 1996.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

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For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.103 Employment of minor; prohibited occupations; minimum age; exceptions and limitations.

Sec. 3. (1) A minor shall not be employed in, about, or in connection with an occupation that is hazardous or injurious to the minor's health or personal well-being or that is contrary to standards established under this act, unless a deviation is granted under section 20.

(2) The minimum age for employment of minors is 14 years, subject to the following exceptions and limitations:

(a) A minor at least 11 years of age and less than 14 years of age may be employed as a youth athletic program referee or umpire for an age bracket younger than his or her own age if an adult representing the

athletic program is on the premises at which the athletic program event is occurring and a person responsible for the athletic program possesses a written acknowledgment of the minor's parent or guardian consenting to the minor's employment as a referee or umpire.

(b) A minor 11 years of age or older may be employed as a golf caddy.

(c) A minor 13 years of age or older may be employed in farming operations as described in section 4(3).

(d) A minor 11 years of age or older may be employed as a bridge caddy at any event sanctioned by the American contract bridge league or other national bridge league association.

(e) A minor 13 years of age or older may be employed to perform services which entail setting traps for formal or informal trap, skeet, and sporting clays shooting events.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1987, Act 71, Imd. Eff. June 29, 1987;—Am. 1997, Act 132, Imd. Eff. Nov. 14, 1997.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.104 Employment of minor; copy of work permit or temporary permit required; issuance and filing of work permit; duration of temporary permit; oath; return of permit; exception to work permit requirement; evidence of age; exception in subsection (3) inapplicable to other provisions.

Sec. 4. (1) Except as provided in subsection (3), a minor shall not be employed in an occupation regulated by this act until the person proposing to employ the minor procures from the minor and keeps on file at the place of employment a copy of the work permit or a temporary permit. The work permit shall be issued by the issuing officer of the school district, intermediate school district, public school academy, or nonpublic school at which the minor is enrolled, and a copy of the work permit shall be placed in the minor's permanent school file for as long as the minor is employed. A temporary permit is valid for 10 days from the date of issue. A work permit may be issued by the school district in which the minor's place of employment is located, or by the public school academy or nonpublic school nearest that place of employment. An issuing officer may administer oaths in relation to work permits.

(2) Immediately after the termination of the minor's employment, the employer shall return the permit to the issuing officer.

(3) The work permit requirement of subsection (1) does not apply to any of the following:

(a) A minor 13 years of age or older who is employed in farming operations involving detasseling, roguing, hoeing, or any similar act involved in the production of seed. This exception applies only when a minor is employed during school vacation periods or when the minor is not regularly enrolled in school. An employer shall keep on file at the place of employment evidence of the age of any minor employed under this work permit exception. Evidence of the age of the minor shall be established as provided in section 5(b).

(b) A minor who is performing work as an unpaid volunteer for an organization that is recognized as tax-exempt under, or whose purposes, structure, or activities are exclusively those that are described in, section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3).

(c) A minor who is performing work as an unpaid volunteer for a fair or exhibition operated and managed under 1929 PA 11, MCL 46.151 to 46.153, or held by an agricultural or horticultural society under 1855 PA 80, MCL 453.231 to 453.240.

(4) A work permit exception in subsection (3) does not provide an exemption from any other provision of this act.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1987, Act 71, Imd. Eff. June 29, 1987;—Am. 1996, Act 438, Imd. Eff. Dec. 18, 1996;—Am. 2010, Act 221, Imd. Eff. Dec. 9, 2010;—Am. 2011, Act 80, Imd. Eff. July 12, 2011.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.105 Work permit; application; examination, approval, and filing of papers.

Sec. 5. An issuing officer shall issue a work permit only upon application in person by the minor desiring employment and after having examined, approved, and filed the following papers:

(a) A statement of intention to employ, signed by the prospective employer or by a person authorized by the prospective employer, setting forth the general nature of the occupation in which the employer intends to employ the minor, the hours during which the minor will be employed, the wages to be paid and other information the department of education, in cooperation with the department of labor, requires.

(b) Evidence showing that the minor is of the age required by this act. Proof of age shall be established by one of the following:

(i) A certified copy of the birth record or any other proof of age showing the place and date of birth.

(ii) A certified copy of valid operator's license issued by this state clearly showing date of birth.

(iii) The school record or the school census record.

(iv) The sworn statement of the minor's parent or guardian, together with a corroborating statement of a physician.

(v) If documentary proof as described in subparagraphs (i) to (iv) is not obtainable, the issuing officer may accept other documentation as established by department of education rules.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.106 Work permit; form; color; contents; rules.

Sec. 6. (1) Work permits shall be issued in the form prescribed by the department of education in cooperation with the department of labor and in accordance with instructions so prescribed. The color of work permits for minors under 16 years of age shall be distinct from that for minors 16 years of age and over. Work permits shall state the name and address of the minor, the date of birth, the occupation and industry in which the minor is employed, the employer's name and address, and other information required by the department of education.

(2) The department of education shall promulgate rules prescribing standards for the issuance of work permits, which shall include the following factors:

(a) Evidence of age.

(b) Standards of work as established by the department of labor and federal regulation.

(c) Statutory requirements.

(3) A fee shall not be charged for a work permit or other record required by this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

Administrative rules: R 340.186 et seq.; R 408.201 et seq.; R 409.1 et seq.; and R 423.401 et seq. of the Michigan Administrative Code.

409.107 Revocation of permit; factors; record of refusal, suspension, or revocation; informing minor of appeal process.

Sec. 7. (1) The issuing officer may revoke a permit based solely on the following factors:

(a) Poor school attendance, characterized by repeated erratic or unexcused absences, which results in consistent performance of school work at a level lower than that which preceded the minor's employment. The work permit shall be revoked only after the permit has been suspended. The suspension shall take place upon notice to the minor and the employer, and an opportunity to correct the deficiency is afforded. The suspension shall not exceed 30 days after date of notification.

(b) The minor's employment is in violation of federal or state law or of a regulation or rule promulgated

under federal or state law, and the issuing officer is informed of the violation by the department of labor.

(2) The issuing officer shall keep a record of each refusal, suspension, or revocation and the reasons for the action. Upon revocation, the minor shall be informed of the appeal process and shall be given instructions as to the initiation of an appeal.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.108 Failure or refusal to issue work permit; appeal; procedure.

Sec. 8. The failure or refusal of the issuing officer to issue a work permit may be appealed in accordance with Act No. 306 of the Public Acts of 1969, as amended, by the minor or by the parent or guardian of the minor applying therefor, or by the person or agency to whom custody of the minor has been awarded. An appeal may be taken in the same manner from the revocation of a permit.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.109 Work permit as evidence of age.

Sec. 9. A work permit issued in accordance with this act shall be conclusive evidence of the age of the minor for whom issued in a proceeding involving the employment of the minor under this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.110 Minor under 16 years; days and hours of employment.

Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.111 Minor 16 years or older; days and hours of employment; definitions.

Sec. 11. (1) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older

between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:

- (a) If the minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
- (b) The minor is employed for not more than 11 hours in 1 day.
- (c) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
- (d) The minor is not employed between 2 a.m. and 5:30 a.m.
- (e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.
- (4) As used in this section:
 - (a) "Agricultural processing" means the cleaning, sorting, or packaging of fruits or vegetables.
 - (b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1995, Act 251, Eff. Mar. 28, 1996;—Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997;—Am. 2000, Act 418, Imd. Eff. Jan. 8, 2001;—Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.112 Meal and rest period.

Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

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For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.112a Employment of minor in occupation involving a cash transaction after sunset or 8 p.m. at fixed location; condition.

Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is the earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.113 Posting copy of MCL 409.110, 409.111, and 409.112; time record.

Sec. 13. (1) Each employer shall keep posted conspicuously in or about the premises at which a minor is

employed, a printed copy of sections 10, 11, and 12 as furnished by the department.

(2) Each employer shall keep in or about the premises at which a minor is employed, an adequate time record which shall state the number of hours worked by the minor each day of the week together with starting and ending times and other information the department of labor requires. The employer shall keep the record on file for not less than 1 year.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.114 Employment of minor in performance by performing arts organization; approval.

Sec. 14. This act shall not prevent a minor from being employed in a performance by any performing arts organization if a letter of approval is obtained from the department of labor by the representative of the arts organization. Approval shall be issued only if the department of labor determines that the employment is not detrimental to the health or personal well-being of the minor, that the minor is adequately supervised, and that the minor's education is not neglected.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.114a Performing in or being subject to child abusive commercial activity.

Sec. 14a. Except as provided in section 14, a minor shall not perform in or be a subject of a child abusive commercial activity as defined in section 145c of Act No. 328 of the Public Acts of 1931, being section 750.145c of the Michigan Compiled Laws.

History: Add. 1978, Act 228, Imd. Eff. June 14, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.115 Employment of minor in establishment manufacturing, distributing, or selling alcoholic beverages.

Sec. 15. (1) A work permit shall not be issued authorizing the employment of a minor 16 years of age or older in, about, or in connection with that part of an establishment where alcoholic beverages are distilled, rectified, compounded, brewed, manufactured, bottled, consumed, distributed, sold at retail, or sold for consumption on the premises unless the sale of food or other goods constitutes at least 50% of the total gross receipts.

(2) This act shall not prohibit the issuance of work permits for 14- and 15-year-olds to be employed in establishments where alcoholic beverages are sold at retail, if the sale of food or other goods constitutes at least 50% of the total gross receipts of the establishment. Minors 14 and 15 years of age shall not be employed in, or about, or in connection with that part of the establishment where alcoholic beverages are consumed or sold for consumption on the premises.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.116 Exemption; minor 16 years of age completing requirements for graduation or high school equivalency; minor 17 years of age passing general educational development test; duty of employer.

Sec. 16. (1) This act does not apply to or prohibit the employment of a minor 16 years of age or older who has completed the requirements for graduation from high school or obtained a high school equivalency certificate. An employer, before employing the minor, shall obtain and keep on file a certification from the school the minor attended certifying that the minor has completed the requirements for graduation or a copy of the high school equivalency certificate.

(2) This act does not apply to or prohibit the employment of a minor 17 years of age or older who has successfully passed the general educational development test. An employer, before employing the minor, shall obtain and keep on file proof of the minor's successful completion.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 2014, Act 144, Imd. Eff. June 3, 2014.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.117 Exemption; emancipated minor; duty of employer.

Sec. 17. This act shall not apply to nor prohibit the employment of an emancipated minor, as defined by section 4 of Act No. 293 of the Public Acts of 1968, as amended, being section 722.4 of the Michigan Compiled Laws. An employer, before employing the minor, shall obtain and keep on file proof of the minor's emancipated status.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.118 Exemption; minor 14 years of age employed under agreement or contract between employer and governing body of school district, public school academy, or nonpublic school.

Sec. 18. This act does not apply to or prohibit the employment of a student minor 14 years of age or older by an employer if a written agreement or contract is entered into between the employer and the governing body of the school district, public school academy, or nonpublic school at which the minor is enrolled. The employment shall not be in violation of a federal statute or regulation and a signed copy of the agreement shall be on file in the place of employment before the minor begins employment.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1996, Act 438, Imd. Eff. Dec. 18, 1996.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.119 Exemptions generally; hours of work.

Sec. 19. (1) This act shall not apply to or prohibit a minor from engaging in any of the following activities:

- (a) Domestic work or chores in connection with a private residence.
- (b) Soliciting, distributing, selling, or offering for sale newspapers, magazines, periodicals, political, or advertising matter.
- (c) Shoe shining.
- (d) Services performed as a member of a recognized youth oriented organization that is engaged in citizenship training and character building, if the services are not intended to replace employees in occupations for which workers are ordinarily paid.

(e) Employment in a business owned and operated by the parent or guardian of the minor. For the purposes of this subdivision, a business is considered to be owned by the parent or guardian of the minor if the parent or guardian is either the sole owner, partner, or stockholder in the business and a business is considered to be operated by the parent or guardian of the minor if he or she devotes substantially all of his or her working hours to the operation of the business.

(f) Farm work if the employment is not in violation of a standard established by the department of labor and economic growth. Farm work means the work activity designated in sector 11 - agriculture, forestry, fishing, and hunting, of the North American industry classification system - United States, 1997, published by the office of management and budget. Farm work includes any practices performed on a farm as an incident to or in conjunction with farming operations, including preparation for market and delivery to storage, market, or carriers for transport to market.

(g) Employment by a school, academy, or college in which the minor is enrolled if the minor is 14 years old or older.

(h) Nonhazardous construction work or operations performed as an unpaid volunteer, if the construction work or operations are performed under adult supervision for a charitable housing organization. As used in this subdivision:

(i) "Charitable housing organization" means a nonprofit charitable organization the primary purpose of which is the construction or renovation of residential housing for low-income individuals.

(ii) "Family income" and "statewide median gross income" mean those terms as defined in section 11 of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

(iii) "Low-income person" means a person with a family income of not more than 60% of the statewide median gross income.

(iv) "Nonhazardous construction work or operations" means construction work or operations that are performed at a construction site of a new or renovated single family home and do not involve the use of power tools, woodworking machinery, or hazardous substances or other activities that would constitute a great risk of serious injury. Activities that would constitute a great risk of serious injury include, but are not limited to, all of the following:

(A) Excavation.

(B) Highway, bridge, or street construction.

(C) Wrecking.

(D) Demolition.

(E) New commercial or new multiple residential construction.

(2) If a minor is required by law to attend school, the work may only be performed outside of school hours, unless the minor is enrolled and employed under a work-related educational program.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 2003, Act 288, Imd. Eff. Jan. 8, 2004.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.120 Rules; deviations.

Sec. 20. (1) The department of labor shall promulgate rules prescribing standards not inconsistent with this act as to the working conditions, safety, health and personal well-being of minors in various types of employment.

(2) Deviations from established standards or from hours by employment shall be granted by the director of labor when it is determined to be in the best interests of the minor and the community. The procedures for applying and issuing deviations shall be prescribed by the department of labor.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

Administrative rules: R 408.6202 et seq. of the Michigan Administrative Code.

409.121 Enforcement and prosecution of act; right of entry and inspection.

Sec. 21. The department of labor shall enforce this act and assist in the prosecution of this act. The department shall have the authority to enter and inspect any place where a minor may be employed and to have access to work permits, age certificates, or other proof of age and time records of the employer, and other records which may aid in the enforcement of this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.122 Violation as misdemeanor or felony; penalties.

Sec. 22. (1) Except as provided in subsection (2) or (3), a person who employs a minor in violation of this act, violates this act or a rule promulgated under this act, or obstructs the department of labor in the enforcement of this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$500.00, or both.

(2) A person who employs, permits, or suffers a minor in violation of section 12a is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$2,000.00, or both. A person who commits a second offense under section 12a is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than \$5,000.00, or both. A person who commits a third or subsequent violation of section 12a is guilty of a felony, punishable by imprisonment for not more than 10 years, or a fine of not more than \$10,000.00, or both.

(3) A person who employs, permits, or suffers a minor to be employed or to work in violation of section 14a is guilty of a felony, punishable by imprisonment for not more than 20 years, or a fine of not more than \$20,000.00, or both.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1978, Act 228, Imd. Eff. June 14, 1978;—Am. 1980, Act 436, Eff. Mar. 31, 1981.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.123 Repeal of MCL 409.1 to 409.30 and 380.1597.

Sec. 23. (1) Act No. 157 of the Public Acts of 1947, as amended, being sections 409.1 to 409.30 of the Compiled Laws of 1970, is repealed.

(2) Section 1597 of Act No. 451 of the Public Acts of 1976, being section 380.1597 of the Compiled Laws is repealed.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.124 Effective date.

Sec. 24. This act shall take effect June 1, 1978.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

Act No. 197
Public Acts of 2011
Approved by the Governor
October 17, 2011
Filed with the Secretary of State
October 18, 2011
EFFECTIVE DATE: October 18, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Reps. Stamas, Roy Schmidt, Denby, Heise, LeBlanc, Pettalia and Wayne Schmidt

ENROLLED HOUSE BILL No. 4732

AN ACT to amend 1978 PA 90, entitled "An act to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

The People of the State of Michigan enact:

Sec. 11. (1) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:

(a) If the minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.

(b) The minor is employed for not more than 11 hours in 1 day.

(c) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.

(d) The minor is not employed between 2 a.m. and 5:30 a.m.

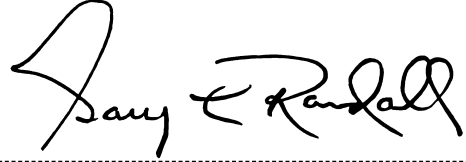
(e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section:

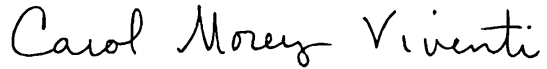
(a) "Agricultural processing" means the cleaning, sorting, or packaging of fruits or vegetables.

(b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor



RICK SNYDER
GOVERNOR

Office of Career and Technical Education
P.O. Box 30712, Lansing, MI 48909

Youth Employment Standards Act, 1978 Public Act 90



(517) 335-6041
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Work Activities Prohibited or Restricted by Law or Administrative Rule

Work Activity	Age 14/15	Age 16/17	MCL or Rule Cite
1. Alcoholic Beverages:			
Employed in Establishments Where Alcohol Sales are 50% or More of Total Sales	Prohibited	Prohibited	MCL 409.115
Employed Where Alcohol is Consumed in Establishments Where Alcohol Sales are Less than 50% of Total Sales	Prohibited	Permitted	MCL 409.115
Minors Cannot Sell, Serve, or Furnish Alcoholic Beverages; Liquor Control Commission Regulations, 1-866-893-2121	Prohibited	Prohibited	Liquor Control Commission
2. Clay Construction Products / Silica Refractory Products	Prohibited	Prohibited	R 408.6209(1)
3. Child Commercial Abusive Activities	Prohibited	Prohibited	MCL 409.114a
4. Confined Spaces	Prohibited	Permitted	R 408.6208(8)
5. Construction Operations:			
Involving Additions, Improvements, Excavation, Highway, Bridge, or Street Construction, Roofing, Wrecking, Demolition, and Ship Breaking Operations	Prohibited	Prohibited	R 408.6208(2)
Involving Cleanup (Not in Above Operations)	Prohibited	Permitted	R 408.6208 (1)
Non-Hazardous Construction Work for Charitable Housing Organization	Exempt	Exempt	MCL 409.119
6. Explosives	Prohibited	Prohibited	R 408.6208(3)
7. Extinguishment of Fires	Prohibited	Restricted	R 408.6209(11)
8. Hazardous Substances (see R 408.6204(a) for definition)	Prohibited	Prohibited	R 408.6208(5)
9. Hoisting Apparatus:			
Operation of	Prohibited	Prohibited	R 408.6208(11)(a)
Riding on	Prohibited	Prohibited	R 408.6208(11)(b)
Assisting in the Operation of	Prohibited	Prohibited	R 408.6208(11)(c)
Working Under	Prohibited	Permitted	R 408.6208(12)
10. Ladders and Scaffolding	Prohibited	Permitted	R 408.6209(10)
11. Logging and Sawmills	Prohibited	Prohibited	R 408.6209(5)
12. Mines and Quarries	Prohibited	Prohibited	R 408.6209(6)
13. Motor Vehicles	Prohibited	Prohibited	R 408.6208(13)
Outside Helpers	Prohibited	Prohibited	R 408.6208(14)
14. Ore Reduction, Casting Metals	Prohibited	Permitted	R 408.6209(7)
15. Power Driven:			
Bakery Machines	Prohibited	Prohibited	R 408.6208(9)(c)
Meat Processing Machines	Prohibited	Prohibited	R 408.6208(9)(f)
Paper Product Machines	Prohibited	Prohibited	R 408.6208(9)(d)
Metal Forming Machines	Prohibited	Prohibited	R 408.6208(9)(b)
Saws	Prohibited	Prohibited	R 408.6208(9)(e)
Woodworking Machines	Prohibited	Prohibited	R 408.6208(9)(a)
Tractors (Non-Agricultural)	Prohibited	Restricted	R 408.6208(10)(b)
Lawn Mowers and Cutters	Prohibited	Permitted	R 408.6209(8)
Earth Moving Equipment and Trenchers	Prohibited	Prohibited	R 408.6208(10)(a)
16. Radioactive Substances including Self-Luminous Compounds	Prohibited	Prohibited	R 408.6208(6)
17. Respiratory Equipment	Prohibited	Prohibited	R 408.6208(7)
18. Slaughtering, Meat Packing, and Rendering	Prohibited	Prohibited	R 408.6209(9)
19. Tanning (Animal Hides)	Prohibited	Prohibited	R 408.6209(4)
20. Welding	Prohibited	Permitted	R 408.6209(2)
Heat Treating, Brazing, and Soldering	Prohibited	Permitted	R 408.6209(3)

This document contains general information only and does not carry the effect of law. Act 90 contains other limitations on employment of minors and all requirements must be met. Please contact the Office of Career and Technical Education for additional information (517) 335-6041 OR click website www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=40806199&Dpt=&RngHigh=40900006

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091



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GOVERNOR

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Youth Employment Standards Act, 1978 Public Act 90

Work Activities Prohibited or Restricted by Department Review under MCL 409.103

*"A minor shall not be employed in, about, or in connection
with an occupation that is hazardous or injurious to the minor's health or personal well-being
or that is contrary to standards established under this act, . . ."*

This document contains general information and does not carry the effect of the Law

Work Activity	Age 14/15	Age 16/17
1. Amusement Park/Recreational Establishment – No Assembly, Disassembly, or Operation of Rides; Age 16/17 may tend, i.e., Take Tickets, Board and Disembark Passengers	Prohibited	Restricted
2. Bloodborne Pathogens Exposure	Prohibited	Prohibited
3. Boats and Other Watercraft	Prohibited	Prohibited
4. Conveyors (Belt), Work On or Near	Prohibited	Restricted
5. Firearms (Loaded), Any Gauge or Caliber including Air Powered	Prohibited	Prohibited
6. Garbage Cart – Easy Tipper	Prohibited	Prohibited
7. Gator Type Utility Vehicles (Not on a Public Road)	Prohibited	Permitted
8. Go-Cart Spotters	Prohibited	Permitted
9. Golf Carts (Not on a Public Road)	Prohibited	Permitted
10. Hot Grease or Oil (Exceeding 100 degrees Fahrenheit)	Prohibited	Prohibited
11. Kansmacker, Un-jamming, Servicing, or Repairing	Prohibited	Prohibited
12. Knives: Chef, Boning, Butcher, Meat Cleaver, Filet, Skinning, and Machete	Prohibited	Prohibited
13. Laminators, Used to Form a Multiple-Ply Product	Prohibited	Prohibited
14. Lawn Care Equipment (Power-Driven) – Mowers, Edgers, Weed Eaters, Hedger Clippers, Tillers, Wheelbarrows, Thatchers, and Aerators	Prohibited	Permitted
15. Life Guard (Certified)		
Swimming Pools and Water Amusement Parks	Permitted (15 only)	Permitted
Natural Bodies of Waters, Such as Lakes and Rivers	Prohibited	Permitted
16. Pharmacies and Prescription Drug Delivery	Prohibited	Prohibited
17. Power Drills (Over 3/8" Chuck)	Prohibited	Prohibited
18. Propane (LP) Gas, Dispensing	Prohibited	Prohibited
19. Sewing Machines Used in a Manufacturing Process	Prohibited	Permitted
20. Snow Blower	Prohibited	Permitted
21. Tire Changer	Prohibited	Prohibited
22. Youth Peddling, Door-to-Door and Street Sales for Profit Making Companies including Mobile Sales Crews	Prohibited	Permitted

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(6/2013)



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Informational Sheet

Youth Employment Standards Act 90 of 1978, as amended

TEENAGER'S EMPLOYMENT IN MICHIGAN

(Refer to Youth Employment Standards Act, Public Act 90 of 1978)

14 Minimum Age of Employment

Work Permit

- Must be current, age and color appropriate on file at fixed location/work site place of employment **prior to** beginning work
- **Section I** completed by minor and parent/guardian (in its entirety); and,
- **Section II** completed by employer or representative proposing to employ minor (in its entirety); and
- **Section III** completed by school issuing officer only upon application **in person** by minor desiring employment and after having examined, approved and copy work permit placing in minor's permanent school file

Work Permit Exemptions

Work permit **do not** apply if:

- 16/17 year old has successfully passed G.E.D. test **and** provided proof of successful completion **prior to** employment
- 16/17 year old has completed high school graduation requirements **and** provided proof of diploma **prior to** employment
- 16/17 year old emancipated has provided proof to employer **prior to** employment (i.e., marriage certificate, etc.)
- Signed and dated written agreement/contract entered into between employer and governing body of the school district, etc.
- Employment in a business owned (sole, partner or stockholder) **and** operated by minor's parent/guardian if parent/guardian devotes substantially all of his/her working hours to the operation of the business

Adult Supervision

Minors under the age of 18 **may not** work

- Unless the employer or employee of the employer 18 years or older provides supervision;
- In an occupation that involves a cash transaction after sunset or 8 pm, **whichever is earlier**, at a fixed location **unless** employer or employee of the employer 18 years or older is present at the fixed location during those hours

Hours

Minors required by law to attend school, may only perform work outside school hours (i.e., after 3:00 pm)

Minors under the age of 18 **may not** work

- More than 6 days in one (1) week;
- More than an average of 8 hours per day in one (1) week;
- More than 5 hours continuously without 30 minutes or more documented and uninterrupted meal/rest period;

Minors 16/17 years

- May be employed no earlier than 6:00 am and no later than 10:30 pm (Sunday-Thursday);
- May be employed no earlier than 6:00 am and no later than 11:30 pm (Friday-Saturday) and (During Summer, Winter, Christmas school vacation at least 7 calendar days Sunday – Saturday)
- May work no more than 24 hours per week when school is in session (whether home/cyber/virtual/on-line school, etc.)
- May work no more than 48 hours per week when school is not in session (Spring, Summer, Winter/Christmas vacation - at least 7 calendar days Sunday – Saturday)

Minors 14/15 years

- May be employed no earlier than 7:00 am and no later than 7:00 pm (September Labor day – June 1st)
- May be employed no earlier than 7:00 am and no later than 9:00 pm (June 1st – September Labor day)
- May be employed no more than 18 hours a week during a school week
- May be employed no more than 3 hours a day, outside school hours, on school day (Monday – Friday)

Alcohol

Minors under the age of 18 cannot sell, serve or furnish alcoholic beverages

Minors under the age of 16 may not be employed in establishments where alcoholic beverages are sold or consumed for consumption on the premises

Minors shall not be employed in, about, or in connection with an occupation that is hazardous or injurious to the minor's health or well-being including but not limited to
(Youth Peddling, Door-to-Door sales, and Street sales for profit making companies)
(Use of Chef, Boning, Butcher, Meat Cleaver, Filet, Skinning, or Machete knives)
(Hot Grease or Oil when the temperature exceeds 100 degrees Fahrenheit)

Hazardous Occupations

(Under the age of 18)

The term "operation" as used in HO's 5, 8, 10, 11, 12 and 14 includes the tasks of setting up, adjusting, repairing, oiling, and cleaning the equipment

- HO 1 – Manufacturing or storing explosives
- HO 2 – Driving a motor vehicle or work as an outside helper on motor vehicles
- HO 3 – Coal mining
- HO 4 – Logging and sawmilling
- HO 5 – Power-driven woodworking machines
- HO 6 – Exposure to radioactive substances and ionizing radiation
- HO 7 – Power-driven hoisting apparatus
- HO 8 – Power-driven metal-forming, punching and shearing machines
- HO 9 – Mining, other than coal
- HO 10 – Power-driven meat-processing machines, slaughtering and meat packing plants
- HO 11 – Power-driven bakery machines
- HO 12 – Power-driven paper-products machines, scrap paper balers, and paper box compactors
- HO 13 – Manufacturing of brick, tiles and related products
- HO 14 – Power-driven circular saws, band saws and guillotine shears
- HO 15 – Wrecking, demolition, and shipbreaking operations
- HO 16 – Roofing occupations and work on or about a roof
- HO 17 – Trenching and excavation operations

Minors 14/15 years **may not** do

- Manufacturing and Mining
- Meat slaughtering, processing, and packaging
- Meat slicers, saws and meat choppers (including restaurants and delicatessens) occupations
- Operating power-driven equipment
- Transportation and Communications
- Warehousing and storage
- Construction
- Work in or about boiler or engine rooms
- Maintenance or repair of a building or equipment
- Work in freezers and meat coolers
- Outside window washing
- Baking such as vertical dough mixers, batter mixers (including most countertop models) dough rollers and dough sheeters
- Work involving power-driven food slicers and grinders, choppers or cutters and bakery mixers
- Loading and unloading goods to and from trucks, railcars or conveyors
- Work in areas where meats are prepared for sale

EMPLOYER'S RECORD KEEPING REQUIREMENTS

- Work permit or Work Based Learning agreement or contract signed and dated between employer and school
- Copy of certification - successfully passing G.E.D. test or high school requirements - diploma
- "State Approved" Application for General Hours and Individual Application for Hours Deviation for 16 and 17 year old minors
- Starting and Ending documented and uninterrupted meal/rest period of 30 minute or more
- Posting Requirement – at the work site
- Required Michigan Minimum Wage Law Poster – posted at the work site
- Employee name, address, birth date – occupation/classification – rate of pay – total hours worked **AND** total hours paid each pay
- Total daily hours worked – starting/ending time worked each day and starting/ending meal/rest period
- Itemization of fringe benefits (1 listing for 10 or more employees)
- Separate earning statement of itemization of deductions made each pay period
- Furnish each employee at the time of payment of wages a retainable and detachable earning statement indicating
 1. Hours worked by the employee
 2. Gross wages paid
 3. Identification of the pay period for which payment is being made
 4. Itemization of deductions

TIPPED EMPLOYEES

Signed and dated tip statement received each pay period **AND** Itemization of credits taken for tips each pay period

Wage and Hour Program

Workforce Opportunity Wage Act – Minimum Wage

www.michigan.gov/wagehour • (517) 322-1825 Toll Free 1-855-4MI-WAGE (1-855-464-9243)

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091 (2015)